

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
MONROE DIVISION

**NORTHEAST LOUISIANA RAILROAD
DEVELOPMENT DISTRICT**

CIV. ACTION NO. 3:23-01783

VERSUS

JUDGE TERRY A. DOUGHTY

DELTA SOUTHERN RAILROAD INC

MAG. JUDGE KAYLA D. MCCLUSKY

JUDGMENT

The Report and Recommendation of the Magistrate Judge [Doc. No. 23] having been considered, together with the Objection [Doc. No. 24] filed by Plaintiff, and, after a *de novo* review of the record, finding that the Magistrate Judge's Report and Recommendation is correct and that judgment as recommended therein is warranted,

IT IS ORDERED that Plaintiff Northeast Louisiana Railroad Development District's Motion to Remand [Doc. No. 9] is **DENIED**.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that this Court *sua sponte* has found that it lacks subject matter jurisdiction over the instant suit.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant Delta Southern Railroad Inc.'s Motion to Dismiss [Doc. No. 5] is **DENIED IN PART** to the extent it moves under Federal Rule of Civil Procedure 12(b)(6), and **GRANTED IN PART** to the extent it seeks dismissal. Therefore, this suit is **DISMISSED WITHOUT PREJUDICE**.

MONROE, LOUISIANA this 10th day of June 2024.



TERRY A. DOUGHTY
UNITED STATES DISTRICT COURT